

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

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4 EDMUNDO A. ZUNIGA,

Case No. 2:22-cv-01966-GMN-VCF

5 Plaintiff,

ORDER

6 v.

7 CHARLES DANIELS, et al.,

8 Defendants.

9 Plaintiff has filed a motion to voluntarily dismiss the complaint. (ECF No. 7.) Under  
10 Federal Rule of Civil Procedure 41(a)(1), a plaintiff may dismiss an action without a court  
11 order by filing “a notice of dismissal before the opposing party serves either an answer or  
12 a motion for summary judgment.” Fed. R. Civ. P. 41(a)(1)(A)(i). The complaint has not  
13 been served on the Defendants, and thus the Defendants have not filed an answer or a  
14 motion for summary judgment. Accordingly, the Court grants Plaintiff’s motion to  
15 voluntarily dismiss this action.

16 For the foregoing reasons, **IT IS ORDERED** that:

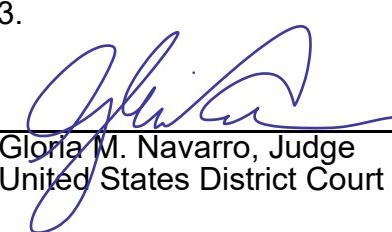
17 1. Plaintiff’s motion for voluntary dismissal (ECF No. 7) is **GRANTED**. This  
18 action is dismissed in its entirety without prejudice.

19 2. Plaintiff’s application to proceed *in forma pauperis* (ECF No. 1) is denied as  
20 moot.

21 3. The Clerk of the Court will enter judgment accordingly.

22 DATED THIS 22 day of February 2023.

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Gloria M. Navarro, Judge  
United States District Court